

AGREEMENT

Made this 19th day of April, 1994, by and between Edward B. Schwartz, herein defined as "Protestant," and Stoupsy's of Georgetown ("Applicant").

WHEREAS, pursuant to Application No. 322, Applicant has applied to the Alcoholic Beverage Control Board (the "Board" or "ABC") for a Class CR License (the "License"); and
WHEREAS, premises 1301 Wisconsin Avenue, NW, is within the jurisdictional boundaries of the ANC; and

WHEREAS, Applicant and Protestant desire to settle all issues relating to the issuance of the License;

THEREFORE, Applicant and Protestant, in consideration of the mutual promises and covenants contained herein, voluntarily enter this Settlement Agreement ("Agreement").

1. Applicant shall operate a bona fide restaurant on its premises;
2. The restaurant consists of interior seating and an outside cafe. The applicant agrees that the last call for alcoholic beverages in the outside area shall be 11 PM, Sunday through Thursday; and 12 Midnight Friday and Saturday. The Applicant shall be allowed to sell alcoholic beverages during all lawful hours in the interior of the restaurant.
3. In consideration of, and in reliance upon the commitments reflected in paragraphs 1 and 2 above, the Protestant will withdraw his opposition to the application, and will advise the ABC Board that he has no objection to the applicant's pending

application.

4. The parties further agree that any failure of Applicant to adhere to the terms of this Agreement shall constitute grounds for Protestant or ANC 2E to petition the ABC for issuance of an order to show cause pursuant to 23 DCMR 1513.5.

IN WITNESS WHEREOF, the parties have affixed hereunto their hands and seals on the day and year first hereinabove written.

STOUPSY'S OF GEORGETOWN, INC.
Applicant

By: _____

Edward B. Schwartz

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

INITIAL	DATE
MLC	9-7-94
W	9-7-94
W	9-7-94
W	9-7-94

In the Matter of:

Stoupsy's of Georgetown, Inc.
t/a Stoupsy's Cafe
Application for a Retailer's
License Class "CR" - renewal
at premises
1301 Wisconsin Avenue, N.W.
Washington, D.C.

Case No. 32272-94036P

Edward Schwartz, Chair, ABC Committee, on behalf of Advisory
Neighborhood Commission 2E, Protestant

George Stoupakis, President, on behalf of Protestant

BEFORE: MARY EVA CANDON, ESQUIRE, Chairperson
JAMES C. JEFFERSON, Member
JAMES L. O'DEA, III, ESQUIRE, Member
BARBARA L. SMITH, ESQUIRE, Member

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on April 20, 1994, in accordance with D.C. Code Section 25-115 (c)(5)(1992 Supp.), providing for remonstrants to be heard. Edward Schwartz, Chair, ABC Committee, on behalf of the Advisory Neighborhood Commission 2E (hereinafter "ANC 2E") filed a timely protest by letter dated April 4, 1994.

The official records reflect that the parties have now reached an Agreement which has been reduced to writing and has been properly executed and filed with the Board.^{1/} Pursuant to the Agreement, the Protestant has agreed to withdraw the opposition provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

^{1/} See Agreement, dated April 19, 1994.

Stoupsy's of Georgetown, Inc.
t/a Stoupsy's Cafe
Page two

Accordingly, the Board FINDS this _____ day
of _____ 1994 that:

1. The opposition of Edward Schwartz, Chair, ABC Committee, on behalf of ANC 2E, be, and the same hereby, is WITHDRAWN;

2. The above-referenced Agreement between the parties be, and the same hereby, is INCORPORATED as part of this Order;

3. The application of Stoupsy's of Georgetown, Inc. t/a Stoupsy's Cafe for retailer's license class CR - renewal at premises 1301 Wisconsin Avenue, N.W., be, and the same hereby, is GRANTED;

4. Copies of the Order shall be sent to the Protestant and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

Mary Eva Candon, Esquire
Chairman

James C. Jefferson,
Member

James L. O'Dea, III, Esquire
Member

Barbara L. Smith, Esquire
Member